



<b>Policy Title:</b>	<b>Subpoenas and Other Legal Correspondence</b>
<b>Policy Number:</b>	<b>UNIV-452</b>
<b>Revision Date:</b>	<b>December 2019</b>
<b>Policies Superseded:</b>	<b>PRES-112</b>
<b>Policy Management Area(s):</b>	<b>University Counsel</b>

**SUMMARY:**

All official correspondence or subpoenas relating to University affairs should be directed to University counsel for service. No member of the faculty, staff, or any student has the authority to accept service, nor give official statements, on behalf of the University,

**POLICY:**

**I. DEFINITIONS**

- A. Inspect – An examination or investigation; the right to see and duplicate documents, enter land, or make other such examinations for the purpose of gathering evidence.
- B. Search – To examine another’s premises, including a vehicle, to look for evidence of criminal activity.
- C. Subpoena – A court-issued writ commanding each person to whom it is directed to do the following at a specified time and place: attend and testify; produce designated documents, electronically stored information, or tangible things in that person’s possession, custody, or control; or permit the inspection of premises.
- D. Subpoena of a Person – A subpoena commanding attendance at a trial or hearing.
- E. Subpoena to Command to Produce – A subpoena requiring the production of specific documents related to pending litigation.
- F. Subpoena to Permit Inspection – A subpoena that requires permission to inspect a named premises.

## II. POLICY

### A. Subpoenas

This section explains the protocol to be followed if one is approached to be served a subpoena of a person, a subpoena to permit inspection, or a subpoena to command to produce. For the purposes of this policy, the terms are defined in Section I.

1. All University-related subpoenas presented to faculty or staff of Coastal Carolina University shall be directed to University counsel for service to be effectuated. No other member of the faculty or staff and no student has the authority to accept service on behalf of the University. If any member of the faculty or staff or any student should unknowingly or erroneously take delivery of such a document, they should immediately deliver the document to the Office of University Counsel, indicating their name and the date and time at which they received delivery.
2. The Office of University Counsel will assist in responding to such subpoenas, provide instruction on how the named party should proceed, and will handle all communication with outside attorneys.
3. If approached with a subpoena to permit inspection, it is important to remember that the subpoena itself does not grant authority to search the premises. If the subpoena relates to the inspection of the premises, please contact the Office of University Counsel immediately, as they will need to be present to supervise the inspection.

### B. Notice of Complaint, Investigation, Inquiries

You should contact the Office of University Counsel when you receive a notice of complaint or investigation relating to the University from any federal, state, or local agency, including, but not limited to: the Office for Civil Rights (OCR), Department of Environmental and Natural Resources (DENR), the Environmental Protection Agency (EPA), the Equal Employment Opportunity Commission (EEOC), the Office of the Inspector General (OIG), the Federal Contract Compliance Programs (OFCCP), the Department of Labor (DOL), or Office of Administrative Hearings (OAH).

Additionally, if you are contacted by a federal, state, or local agency that is inquiring about the University, you should consult with the Office of University Counsel prior to responding.